

RESOLUTION R2010-76

**EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, as a result of negotiations, the Teamsters Local Union No. 469 and the Township of East Windsor have reached agreement on the terms and conditions of a collective bargaining agreement for the period beginning January 1, 2010 and expiring on December 31, 2011, as set forth in the attached Memorandum of Agreement; and

WHEREAS, the attached Memorandum of Agreement has been ratified by the members of Teamsters Local Union No. 469; and

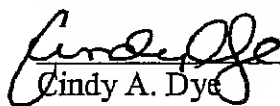
WHEREAS, Teamsters Local Union No. 469 acknowledges that its members are subject to and bound by the provisions of the public employee pensions and health benefits reform laws: S-2/A-2461 (P.L. 2010, c.1), S-3/A-2461 (P.L. 2010, c.2) and S-4/A-2459 (P.L. 2010, c.3), enacted on March 22, 2010, which include, among other things, the requirement that all local government employees pay 1.5% of their salary toward the cost of health insurance benefits beginning on the effective date of this legislation; and

WHEREAS, the Township Council has reviewed the attached Memorandum of Agreement and finds it to be in the best interests of the Township.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of East Windsor, in the County of Mercer, State of New Jersey as follows:

1. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Memorandum of Agreement between the Township and Teamsters Local Union No. 469 effective January 1, 2010 and expiring December 31, 2011.
2. The attached Memorandum of Agreement is approved by the Township Council subject to the acknowledgement by Teamsters Local Union No. 469 that its members are subject to and bound by the provisions of the recently enacted public employee pensions and health benefits reform laws: S-2/A-2461 (P.L. 2010, c.1), S-3/A-2461 (P.L. 2010, c.2) and S-4/A-2459 (P.L. 2010, c.3), enacted on March 22, 2010, upon the effective date of this legislation.
3. A copy of the said Memorandum of Agreement will be available for public inspection in the Office of the Municipal Clerk.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the East Windsor Township Council at a meeting held on April 6, 2010.


Cindy A. Dye
Municipal Clerk

**Memorandum of Agreement
between**

East Windsor Township

-and-

Teamsters Local Union No. 469

This MEMORANDUM OF AGREEMENT ("MOA") is entered into this ____ day of _____, 2010 by and between East Windsor Township (hereinafter the "Township") and the Teamsters Local Union No. 469 (hereinafter referred to as "469").

WHEREAS, the Township and 469 are parties to a collective bargaining agreement (the "Agreement") effective January 1, 2006 through December 31, 2009; and

WHEREAS, the membership of 469 has ratified the terms of this MOA, as set forth herein.

NOW THEREFORE, in consideration of the mutual covenants contained herein, the Township and 469 agree to the following provisions modifying and extending the Agreement, subject to the approval of the Township Council:

1. The term of the Agreement which expired on December 31, 2009 pursuant to Article 33, shall be extended for two (2) years through December 31, 2011.
2. Article 20, Section 3 of the Agreement is deleted and replaced with a new Article 20, Section 3 to read as follows:
 - A. Effective June 1, 2010, the State Health Benefits Program - Direct 15 Plan shall be offered to all full-time employees and dependents, with the Township paying one hundred (100%) percent of the premium. Employees shall have the option of buying up to the Direct 10 Plan, at their option, with the additional premium cost for such upgrade being deducted from such employee(s) as a payroll deduction.
 - B. The prescription card is provided through and in accordance with the State Health Benefit Program, which currently provides co-pays of \$3.00 generic; \$10 brand; \$5/\$15 mail order (90 day supply).
 - C. Vision Care - \$150.00 per year to be reimbursed for each employee, to the extent not covered by the Direct 15 Plan.
 - D. The Township shall pay one hundred (100%) percent of the premium cost for

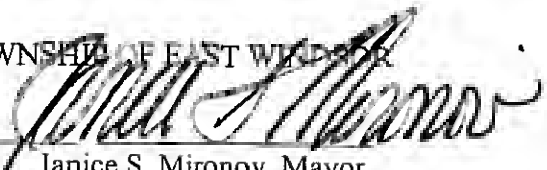
the State Health Benefits Program - Direct 15 Plan and the applicable State Health Benefits Program prescription card plan for all full-time employees, dependents and retired employees.

E. Permanent part-time employees can enroll on a pro-rated premium basis, as the State Health Benefits Program rules may permit. This benefit is continued for all retired employees.

3. For the 2010 calendar year, the Township shall not impose any layoffs, furloughs, or outsourcing of 469 members or their duties. In addition, for the 2010 calendar year, the Township shall impose no demotions or downgrades of 469 members, absent disciplinary proceedings for cause.
4. Article 6 Section 3 of the Agreement is deleted and replaced with a new Article 6, Section 3 to read as follows:
 - A. 469 members shall receive no increase in wages for calendar year 2010.
 - B. 469 members on the Township's payroll on January 1, 2011 shall receive an across-the-board wage increase of one and one-half (1.5%) percent. Such wage increase shall be a minimum increase, provided that in the event any non-police union in the Township negotiates a wage increase for 2011 greater than 1.5%, taking into full consideration any and all offsetting financial and/or economic concessions that may be agreed to with such unions for 2011, then the members of 469 shall receive an equivalent increase for 2011.
5. This MOA is without prejudice to any pending grievances that may have been filed by or on behalf of any 469 members, or to the Township with respect to layoff decisions made prior to this MOA.
6. Except as modified hereby, all other terms and conditions of the Agreement will remain unchanged and in effect through December 31, 2011.

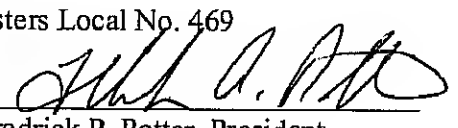
TOWNSHIP OF EAST WINDSOR

BY:


Janice S. Mironov, Mayor

Teamsters Local No. 469

BY:


Fredrick P. Potter, President

Attest:


Cindy A. Dye, Municipal Clerk


Michael Trivisonno, Shop Steward